

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

In Re: Ethicon Inc., Pelvic Repair System Products Liability Litigation
MDL No. 2327

Civil Action No. 2:14-cv-10351

SHORT FORM COMPLAINT

Come now the Plaintiff(s) named below, and for Complaint against the Defendants named below, incorporate The First Amended Master Complaint in MDL No. 2327 by reference.

Plaintiff(s) further show the court as follows:

1. Female Plaintiff

Paula Sinnott

2. Plaintiff's Spouse (if applicable)

N/A

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator)

N/A

4. State of Residence

Connecticut

5. District Court and Division in which venue would be proper absent direct filing.

U.S. District Court, District of Connecticut, Hartford Division

6. Defendants (Check Defendants against whom Complaint is made):



A. Ethicon, Inc.



B. Ethicon, LLC

- ☒ C. Johnson & Johnson
- ☒ D. American Medical Systems, Inc. ("AMS")
- ☐ E. Boston Scientific Corporation
- ☐ F. C. R. Bard, Inc. ("Bard")
- ☐ G. Sofradim Production SAS ("Sofradim")
- ☐ H. Tissue Science Laboratories Limited ("TSL")
- ☐ I. Mentor Worldwide LLC
- ☐ J. Coloplast Corp.
- ☐ K. Cook Incorporated
- ☐ L. Cook Biotech, Inc.
- ☐ M. Cook Medical, Inc.

7. Basis of Jurisdiction

- ☒ Diversity of Citizenship
- ☐ Other: _____

A. Paragraphs in Master Complaint upon which venue and jurisdiction lie:

Paragraphs 9-11

B. Other allegations of jurisdiction and venue:

Subject matter jurisdiction is proper pursuant to U.S.C. § 1332. Pursuant to 28 U.S.C.

1407, the Judicial Panel on Multi-District Litigation created MDL 2327 to be presided

over by Hon. Joseph Goodwin of the Southern District of West Virginia.

8. Defendants' products implanted in Plaintiff (Check products implanted in Plaintiff)

- ☐ Prolift
- ☐ Prolift +M
- ☐ Gynemesh/Gynemesh PS
- ☐ Proxima
- ☒ TVT
- ☐ TVT-Obturator (TVT-O)
- ☐ TVT-SECUR (TVT-S)
- ☐ TVT-Exact
- ☐ TVT-Abbrevio
- ☒ Other

Monarc Sling (AMS)

9. Defendants' Products about which Plaintiff is making a claim. (Check applicable products):

- ☐ Prolift
- ☐ Prolift +M
- ☐ Gynemesh/Gynemesh PS
- ☐ Proxima
- ☒ TVT
- ☐ TVT-Obturator (TVT-O)
- ☐ TVT-SECUR (TVT-S)
- ☐ TVT-Exact
- ☐ TVT-Abbrevio



Other

Monarc Sling (AMS)

10. Date of Implantation as to Each Product:

12/21/2007 (Monarc)

6/12/2009 (TVT)

11. Hospital(s) where Plaintiff was implanted (including City and State):

Kent Hospital, Warwick, RI (2007)

Women&InfantsHospitalProvidenceRI09

12. Implanting Surgeon(s):

Robert Salk, DO (Monarch, 2007)

Charles Rardin, MD (TVT, 2009)

13. Counts in the Master Complaint brought by Plaintiff(s):



Count I – Negligence



Count II – Strict Liability – Manufacturing Defect



Count III – Strict Liability – Failure to Warn



Count IV – Strict Liability – Defective Product



Count V – Strict Liability – Design Defect



Count VI – Common Law Fraud



Count VII – Fraudulent Concealment



Count VIII – Constructive Fraud

- ☒ Count IX – Negligent Misrepresentation
- ☐ Count X – Negligent Infliction of Emotional Distress
- ☒ Count XI – Breach of Express Warranty
- ☒ Count XII – Breach of Implied Warranty
- ☐ Count XIII – Violation of Consumer Protection Laws
- ☐ Count XIV – Gross Negligence
- ☐ Count XV – Unjust Enrichment
- ☐ Count XVI – Loss of Consortium
- ☒ Count XVII – Punitive Damages
- ☒ Count XVIII – Discovery Rule and Tolling
- ☐ Other Count(s) (Please state factual and legal basis for other claims below):

s/ /s/ J. Gerard Stranch, IV

Attorney(s) for Plaintiff

Address, phone number, email address and bar information:

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